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10/721,471	11/26/2003	Daniel K. Tor	ASH03009	8133

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EXAMINER	
CARDENAS NAVIA, JAIME F	
ART UNIT	PAPER NUMBER
4182	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/721,471	TOR ET AL.	
	Examiner	Art Unit	
	JAIME F. CARDENAS NAVIA	4182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 November 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *26 March 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *December 8, 2003*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☒ Other: *2 NPL documents*.

DETAILED ACTION

Introduction

1. This **NON-FINAL** office action is in response to applicant's submission filed on November 26, 2003. Currently, claims 1-19 are pending.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on December 8, 2003 has been considered by the examiner.

Specification

3. **The disclosure is objected to** because of the following informalities:

Specification contains a hyperlink (par. 43). While the examiner believes that the hyperlink is demonstrative of how the invention can be accessed through the internet and applicant does not intend the hyperlink to be an active link, the hyperlink is in fact an active link, and contains content that could be found offensive. For this reason, examiner believes that the hyperlink should be removed or replaced with a hyperlink that is not a real website, similar to how the phone numbers in the specification are not real phone numbers.

In par. 66, line 1, "Step s1105" should be changed to "Step *S*1105".

In par. 66, lines 6-7, "interview acceptable" should be changed to "interview *is* acceptable".

In par. 72, line 11, "know" should be changed to "known".

Claim Objections

4. **Claims 2-6, 8, 10-13, 16, and 18-19 are objected to** because of the following informalities:

Regarding claims 2 and 8, "a visitation request, a registration request, and visitation approval or disapproval" should be changed to "*the* visitation request, *the* registration request, and *the* visitation approval or disapproval" so that they properly reference when they were introduced in claims 1 and 7.

Regarding claim 3, "a analytical process" should be changed to "*an* analytical process".

Regarding claims 4, 6, 10, and 12, "an inmate" should be changed to "*the* inmate" to make clear that it is the same inmate from claims 1 and 7.

Regarding claims 5 and 11, "a visitation request" should be changed to "*the* visitation request" to properly reference when it was introduced in claims 1 and 7.

"potential visitors name" and "potential visitors address" need to be changed to "potential visitor's name" and "potential visitor's address".

Regarding claim 13, "an inmate" in the last line of the claim should be changed to "*the* inmate" to make clear that it is the same inmate from the third line of the claim.

Regarding claim 16, "allowing" should be changed to "allow*s*".

Regarding claim 18, in the preamble, "a visit an inmate" should be changed to "a visit*ation of* an inmate".

In the first receiving step,

In the accessing step, "a visit with the inmate" should be changed to "*the* visitation of the inmate".

The "and" before the accessing step should be removed.

Regarding claim 19, "an inmate" should be changed to "*the* inmate" to make clear that it is the same inmate from claim 18.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. **Claims 15-19 are rejected** under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 15, "communicating denial requests in response to the registration request" should be changed to "communicating *disapproval of the* registration request" to be consistent with specification and claim terminology. It is also unclear what a denial request is.

Regarding claim 16, "the one or more visitors" lacks antecedent basis. It should be changed to "one or more visitors".

"a status of a response to the registration request" should be changed to "a status of the registration request". It is the registration request that has a status, not the response to the registration request.

Regarding claim 17, "placing a response to a register request on hold pending" should be changed to "plac*es the registration* request on hold pending". It is the registration request that can be placed on hold, not the response to the registration request.

Examiner notes that the registration request is not always placed on hold, yet the language in the claim seems to indicate this. The claim should be amended to address this deficiency.

Regarding claim 18, "the sender" lacks antecedent basis. Claim should be amended to make clear who "the sender" is. For examining purposes, it has been interpreted as the sender of the request.

"module" is an imprecise term, whose definition ranges from a unit of measurement, to a portion of code, to a component of a greater system. The term is not defined by the claims, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. For examining purposes, it has been interpreted as anything that is capable of performing scheduling functions.

"the proposed time" lacks antecedent basis. It should be changed to "the proposed visiting time".

Regarding claim 19, "the registration request" lacks antecedent basis. It should be changed to "the request".

Claim Rejections - 35 USC § 101

7. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

8. **Claims 13-17 are rejected** under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claimed invention of an inmate visitation system comprising *modules* does not fall into one of the four categories of patent eligible subject matter recited in 35 U.S.C. 101 (process, machine, article of manufacture, or composition of matter). This is because *modules* are not clearly defined in the specification, and the standard definition of module ranges from a unit of measurement, to a portion of code in a program, to a standardized component of a system.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10. **Claims 1-5 and 7-12 are rejected** under 35 U.S.C. 103 (a) as being unpatentable over Lue Chee Lip et al. (US 2002/0099794 A1) in view of Farenden (US 2002/0128894 A1).

Regarding claim 1, Lue Chee Lip teaches a visitation system comprising:

means for receiving a visitation request from a person (par. 28);

means for determining whether the visitation request from the person is approved or disapproved (par. 29); and

means for communicating the approval or disapproval of the visitation request (par. 31).

Lue Chee Lip does not teach:

means for sending a registration request based upon the received visitation request;

means for receiving registration information based upon the sent registration request.

Farenden teaches:

means for sending a registration request based upon the received visitation request (par. 118, par. 119);

means for receiving registration information based upon the sent registration request (par. 119) in an analogous art of visitation scheduling.

The inventions of Lue Chee Lip and Farenden pertain to scheduling visits of pre-selected and pre-approved visitors. All the claimed elements were known in the prior art and one skilled

in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Farenden does not teach away from or contradict Lue Chee Lip, but rather, teaches an alternative system for achieving a very similar result. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the teaching of Lue Chee Lip on the flexibility of the invention for accommodating specific business needs (par. 35).

Neither Lue Chee Lip nor Farenden expressly teach that the intended use of the system is limited to scheduling inmates as claimed.

Official notice is given that scheduling visitations with inmates is old and well known wherein correction facilities, as a common practice, control and manage who can visit inmates and when those visitations can occur.

It would have been obvious to one skilled in the art at the time of the invention that the visitation system as taught by the combination of Lue Chee Lip and Farenden would have been used to schedule any of a plurality of visitation types, including but not limited to inmate visitations, in view of the teachings of official notice; the resultant system enabling correction facilities to control who can visit inmates and when those visitations can occur.

Further it is noted that the intended field of use of the visitation system merely represent non-functional descriptive material and is not functionally involved in the steps recited nor do they alter the recited structural elements. By applicant's own admission, the visitation system is not necessarily intended solely for inmates in a corrections facility environment (par. 16). The recited method steps would be performed the same regardless of the intended field of use of the

visitation system/method. Further, the structural elements remain the same regardless of the specific intended field of use of the visitation system/method. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see In re Gulack, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); In re Lowry, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994); MPEP 2106.

Regarding claim 2, Lue Chee Lip teaches means for recording information associated with one or more of a visitation request, a registration request and visitation approval or disapproval (par. 70, par. 135, par. 140).

Regarding claim 3, Lue Chee Lip teaches wherein the means for determining is at least one of a security administrator and an analytical process that reviews at least one of historical visitation requests and visitation data (par. 33, a security administrator is the equivalent of a prison official, and whether or not classified material is going to be discussed is visitation data).

Neither Lue Chee Lip nor Farenden expressly teach that the intended use of the system is limited to scheduling inmates as claimed.

Official notice is given that scheduling visitations with inmates is old and well known wherein correction facilities, as a common practice, control and manage who can visit inmates and when those visitations can occur.

It would have been obvious to one skilled in the art at the time of the invention that the visitation system as taught by the combination of Lue Chee Lip and Farenden would have been used to schedule any of a plurality of visitation types, including but not limited to inmate visitations, in view of the teachings of official notice; the resultant system enabling correction facilities to control who can visit inmates and when those visitations can occur.

Further it is noted that the intended field of use of the visitation system merely represent non-functional descriptive material and is not functionally involved in the steps recited nor do they alter the recited structural elements. By applicant's own admission, the visitation system is not necessarily intended solely for inmates in a corrections facility environment (par. 16). The recited method steps would be performed the same regardless of the intended field of use of the visitation system/method. Further, the structural elements remain the same regardless of the specific intended field of use of the visitation system/method. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see In re Gulack, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); In re Lowry, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994); MPEP 2106..

Regarding claim 4, Lue Chee Lip teaches wherein the means for recording further maintains a history of potential visitors requested by a person (par. 31, par. 70, visitor database and visitor directory).

Neither Lue Chee Lip nor Farenden expressly teach that the intended use of the system is limited to scheduling inmates as claimed.

Official notice is given that scheduling visitations with inmates is old and well known wherein correction facilities, as a common practice, control and manage who can visit inmates and when those visitations can occur.

It would have been obvious to one skilled in the art at the time of the invention that the visitation system as taught by the combination of Lue Chee Lip and Farenden would have been used to schedule any of a plurality of visitation types, including but not limited to inmate

visitations, in view of the teachings of official notice; the resultant system enabling correction facilities to control who can visit inmates and when those visitations can occur.

Further it is noted that the intended field of use of the visitation system merely represent non-functional descriptive material and is not functionally involved in the steps recited nor do they alter the recited structural elements. By applicant's own admission, the visitation system is not necessarily intended solely for inmates in a corrections facility environment (par. 16). The recited method steps would be performed the same regardless of the intended field of use of the visitation system/method. Further, the structural elements remain the same regardless of the specific intended field of use of the visitation system/method. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see In re Gulack, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); In re Lowry, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994); MPEP 2106..

Regarding claim 5, Lue Chee Lip teaches wherein a visitation request includes at least one of a potential visitor's phone number, relationship of the potential visitor and the person, the potential visitor's name (par. 124), and the potential visitor's address.

Regarding claims 7-11, they are rejected using the same art and rationale used above for rejecting claims 1-5. This is because claims 7-11 claim a method performing the steps carried out by the system of claims 1-5.

11. **Claims 6 and 12 are rejected** under 35 U.S.C. 103(a) as being unpatentable over Lue Chee Lip et al. (US 2002/0099794 A1) in view of Farenden (US 2002/0128894 A1) as applied to claims 1-5 and 7-11 above, further in view of Williams (US 2004/0243435).

Regarding claim 6, neither Lue Chee Lip nor Farenden teaches means for scheduling, for approved visitors, an available time to visit an inmate.

Williams teaches means for scheduling, for approved visitors, an available time to visit an inmate (par. 24).

The inventions of Lue Chee Lip, Farenden, and Williams pertain to registering in a sytem and scheduling appointments. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Williams does not teach away from or contradict Lue Chee Lip or Farenden, but rather, teaches a function that was not addressed. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the advantage of having scheduled times for the visit so that scheduling conflicts can be minimized.

Regarding claim 12, it is rejected using the same art and rationale used above for rejecting claim 6. This is because claim 12 claims a method performing the steps carried out by the system of claim 6.

12. **Claims 13-17 are rejected** under 35 U.S.C. 103(a) as being unpatentable over Lue Chee Lip et al. (US 2002/0099794 A1) in view of Williams (US 2004/0243435).

Regarding claim 13, Lue Chee Lip teaches a visitation system:

a visitation registration module for receiving a visitation request from a person, automatically approving or disapproving a registration request based upon the visitation request

and recording information associated with at least one of the visitation request and the registration request (par. 28, 29, and 31).

Lue Chee Lip does not teach a visitation scheduling module for scheduling, for approved visitors, an available time to visit a person.

Williams teaches a visitation scheduling module for scheduling, for approved visitors, an available time to visit a person (par. 24).

The inventions of Lue Chee Lip and Williams pertain to registering in a sytem and scheduling appointments. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Williams does not teach away from or contradict Lue Chee Lip, but rather, teaches a function that was not addressed. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the advantage of having scheduled times for the visit so that scheduling conflicts can be minimized, which is a well-known and common scheduling goal.

Neither Lue Chee Lip nor Williams expressly teach that the intended use of the system is limited to scheduling inmates as claimed.

Official notice is given that scheduling visitations with inmates is old and well known wherein correction facilities, as a common practice, control and manage who can visit inmates and when those visitations can occur.

It would have been obvious to one skilled in the art at the time of the invention that the visitation system as taught by the combination of Lue Chee Lip and Williams would have been

used to schedule any of a plurality of visitation types, including but not limited to inmate visitations, in view of the teachings of official notice; the resultant system enabling correction facilities to control who can visit inmates and when those visitations can occur.

Further it is noted that the intended field of use of the visitation system merely represent non-functional descriptive material and is not functionally involved in the steps recited nor do they alter the recited structural elements. By applicant's own admission, the visitation system is not necessarily intended solely for inmates in a corrections facility environment (par. 16). The recited method steps would be performed the same regardless of the intended field of use of the visitation system/method. Further, the structural elements remain the same regardless of the specific intended field of use of the visitation system/method. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see In re Gulack, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); In re Lowry, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994); MPEP 2106..

Regarding claim 14, Lue Chee Lip does not teach wherein the visitation scheduling module is accessed by an approved potential visitor.

Williams teaches wherein the visitation scheduling module is accessed by an approved potential visitor (par. 24).

The inventions of Lue Chee Lip and Williams pertain to registering in a sytem and scheduling appointments. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Williams does not teach away from or contradict Lue Chee Lip, but rather, teaches a function that was not addressed. Additionally, the combination would have

yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the advantage of a potential visitor being able to view, modify, and cancel appointments taught by Williams (par. 24).

Regarding claim 15, Lue Chee Lip teaches wherein the visitation registration module further comprises communicating denial requests in response to the registration request (par. 31).

Regarding claim 16, Lue Chee Lip teaches wherein the visitation registration module further allowing the one or more visitors to access a status of a response to the registration request (par. 61).

Regarding claim 17, Lue Chee Lip teaches wherein the visitation registration module further placing a response to a register request on hold pending additional information (par. 61).

13. **Claims 18 and 19 are rejected** under 35 U.S.C. 103(a) as being unpatentable over Farenden (US 2002/0128894 A1) in view of Lue Chee Lip et al. (US 2002/0099794 A1) and Williams (US 2004/0243435).

Regarding claim 18, Farenden teaches an automated method to register and schedule a visit:

receiving a request to provide registration information in order to schedule the visitation of the person (par. 119);

supplying the requested registration information to the sender (par. 119).

Farenden does not teach:

receiving an approval notification;

accessing a visitation scheduling module to schedule the visitation of the person;

entering a proposed visiting time;

determining whether the person is available at the proposed visiting time; and

if the person is available during the proposed time, receiving a schedule and confirmation number.

Lue Chee Lip teaches:

receiving an approval notification (par. 31).

The inventions of Farenden and Lue Chee Lip pertain to scheduling visits of pre-selected and pre-approved visitors. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Lue Chee Lip does not teach away from or contradict Farenden, but rather, teaches an alternative method for achieving a very similar result. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the teaching of Lue Chee Lip on the flexibility of the invention for accommodating specific business needs (par. 35).

Neither Farenden nor Lue Chee Lip teaches:

accessing a visitation scheduling module to schedule the visitation of the person;

entering a proposed visiting time;

determining whether the person is available at the proposed visiting time; and

if the person is available during the proposed time, receiving a schedule and confirmation number.

Williams teaches:

accessing a visitation scheduling module to schedule the visitation of the person (par. 23, par. 24).

entering a proposed visiting time (par. 24).

determining whether the person is available at the proposed visiting time (par. 42, lines 12-15, an appointment would not be scheduled for a time that was not available); and

if the person is available during the proposed time (par. 42, lines 12-15, receiving a schedule (par. 23, line 4).

The inventions of Farenden, Lue Chee Lip, and Williams pertain to registering in a system and scheduling appointments. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Williams does not teach away from or contradict either Farenden or Lue Chee Lip, but rather, teaches a function that was not addressed. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the teaching in Farenden that after registration data has been reviewed, candidates may be invited to visit potential employers (par. 139).

Neither Farenden, Lue Chee Lip, nor Williams teaches receiving a confirmation number.

Official notice is given that receiving a confirmation number was a matter of common knowledge to one skilled in the art at the time of applicant's invention. Websites, fast-food restaurants, dentist offices, etc. provide confirmation numbers for transactions, including the scheduling of appointments.

The inventions of Farenden, Lue Chee Lip, Williams, and official notice pertain to registering in a system and scheduling appointments. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Williams does not teach away from or contradict either Farenden or Lue Chee Lip, but rather, teaches a function that was not addressed. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the teaching in Farenden that after registration data has been reviewed, candidates may be invited to visit potential employers (par. 139).

Neither Farenden, Lue Chee Lip, nor Williams expressly teach that the intended use of the system is limited to scheduling inmates as claimed.

Official notice is given that scheduling visitations with inmates is old and well known wherein correction facilities, as a common practice, control and manage who can visit inmates and when those visitations can occur.

It would have been obvious to one skilled in the art at the time of the invention that the visitation system as taught by the combination of Farenden, Lue Chee Lip, and Williams would have been used to schedule any of a plurality of visitation types, including but not limited to inmate visitations, in view of the teachings of official notice; the resultant system enabling correction facilities to control who can visit inmates and when those visitations can occur.

Further it is noted that the intended field of use of the visitation system merely represent non-functional descriptive material and is not functionally involved in the steps recited nor do they alter the recited structural elements. By applicant's own admission, the visitation system is

not necessarily intended solely for inmates in a corrections facility environment (par. 16). The recited method steps would be performed the same regardless of the intended field of use of the visitation system/method. Further, the structural elements remain the same regardless of the specific intended field of use of the visitation system/method. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see In re Gulack, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); In re Lowry, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994); MPEP 2106..

Regarding claim 19, Farenden teaches wherein the receipt of the registration request is based upon a visitation request supplied by a person (par. 118, par. 119).

Neither Farenden, Lue Chee Lip, nor Williams expressly teach that the intended use of the system is limited to scheduling inmates as claimed.

Official notice is given that scheduling visitations with inmates is old and well known wherein correction facilities, as a common practice, control and manage who can visit inmates and when those visitations can occur.

It would have been obvious to one skilled in the art at the time of the invention that the visitation system as taught by the combination of Farenden, Lue Chee Lip, and Williams would have been used to schedule any of a plurality of visitation types, including but not limited to inmate visitations, in view of the teachings of official notice; the resultant system enabling correction facilities to control who can visit inmates and when those visitations can occur.

Further it is noted that the intended field of use of the visitation system merely represent non-functional descriptive material and is not functionally involved in the steps recited nor do they alter the recited structural elements. By applicant's own admission, the visitation system is

not necessarily intended solely for inmates in a corrections facility environment (par. 16). The recited method steps would be performed the same regardless of the intended field of use of the visitation system/method. Further, the structural elements remain the same regardless of the specific intended field of use of the visitation system/method. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see In re Gulack, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); In re Lowry, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994); MPEP 2106..

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Crites et al. (US 7,085,359 B2) teaches collecting inmate data.

Summers et al. (US 2004/0236601 A1) teaches collecting patient information, qualifying patients, and scheduling and tracking appointments and outcomes.

Tapsell et al. (US 2004/0102992 A1) teaches accepting or declining the registration of users and scheduling appointments through various mediums (phone, internet, paper).

Jones et al. (US 2003/0167193 A1) teaches tracking attendance history.

Burko (US 2003/0156672 A1) teaches collecting information for registration, scheduling appointments, and maintaining a history of client actions.

Crane (US 5,748,907) teaches collecting information for registration, scheduling an appointment, conducting a pre-exam (interview), and then possibly scheduling another appointment.

Hingoranee (US 7,278,028 B1) teaches collecting and registering biometric data, and specifically mentions its usefulness for inmates.

Mallick et al. (US 2003/0058082 A1) teaches accepting or declining visitor registration and identification and tracking location.

Inoue et al. (US 2002/0167922 A1) teaches requesting to register, receiving approval or denial, and approval or denial of registration.

Staff Reporter for The Hindu (Dec 11, 2003) reported an incident in which jail visitors were not required to register as per the prisoner manual.

The Orange County Register (April 4, 2002) reported potential changes to the California Department of Corrections regulations that would affect who can visit prisoners.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAIME F. CARDENAS NAVIA whose telephone number is (571)270-1525. The examiner can normally be reached on Mon-Fri, 7:30AM - 5:00PM EST, Alt Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thu Nguyen can be reached on (571) 272-6967. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

February 14, 2008

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